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19 **UNITED STATES DISTRICT COURT**

20 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

21 MICHAEL LAVIGNE, *et al.*,

22 Plaintiffs,

23 vs.

24 HERBALIFE LTD., *et al.*,

25 Defendants.

CASE NO. 2:18-cv-07480-JAK (MRWx)
[Related Case 2:13-cv-02488-BRO-RZ]

**JOINT STIPULATION FOR
RESCHEDULING OF HEARING ON
PLAINTIFFS' MOTION FOR
REVIEW OF NON-DISPOSITIVE
RULINGS, HERBALIFE'S MOTION
FOR SUMMARY JUDGMENT, THE
PARTIES' DAUBERT MOTIONS,
AND PLAINTIFFS' MOTION TO
STRIKE**

Assigned to Hon. John A. Kronstadt,
Courtroom 10B

1 Pursuant to Local Rule 7.1, Defendant Herbalife International of America,
2 Inc. (“Herbalife”), and Plaintiffs Patricia Rodgers, Jennifer Ribalta, and Izaar
3 Valdez (“Plaintiffs”), by and through their respective counsel of record, hereby
4 stipulate as follows:

5 WHEREAS, the parties have several motions scheduled to be heard on
6 November 15, 2021, namely Plaintiffs’ Motion for Review of Non-Dispositive
7 Rulings (Dkt. No. 309), Herbalife’s Motion for Summary Judgment (Dkt. No. 322),
8 the parties’ *Daubert* motions (Dkt. Nos. 323, 324, 325, 326, 327, 328, 329, 330),
9 and Plaintiffs’ Motion to Strike Defendant’s Affirmative Defenses (Dkt. No. 359)
10 (the “Outstanding Motions”);

11 WHEREAS, the Court previously continued the November 1, 2021 hearing
12 on the Outstanding Motions to November 15, 2021, pursuant to the parties’
13 stipulation (Dkt. No. 373) and in light of the parties’ settlement discussions
14 facilitated by Hon. S. James Otero (Ret.);

15 WHEREAS, the parties’ ensuing settlement discussions with Judge Otero
16 were productive and the parties are continuing discussions to potentially resolve this
17 matter;

18 WHEREAS, to allow the parties to focus on these settlement discussions, the
19 parties respectfully request that the November 15, 2021 hearing on the Outstanding
20 Motions be continued to December 13, 2021, or the Court’s next available hearing
21 date.

22 IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

23 The parties jointly request that the Court continue the hearing on Plaintiffs’
24 Motion for Review of Non-Dispositive Rulings (Dkt. No. 309), Herbalife’s Motion
25 for Summary Judgment (Dkt. No. 322), the parties’ *Daubert* motions (Dkt.
26 Nos. 323, 324, 325, 326, 327, 328, 329, 330), and Plaintiffs’ Motion to Strike
27 Defendant’s Affirmative Defenses (Dkt. No. 359) to December 13, 2021, or the
28 Court’s next available hearing date.

